



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES
COOKEVILLE ENVIRONMENTAL FIELD OFFICE
Phone 931-520-6688 Statewide 1-888-891-8332 Fax 931-432-6952

January 10, 2017

The Honorable James Mayberry, Mayor
City Of Crossville
392 North Main Street
Crossville, TN 38555, TN

Certified Mail
#91-7199-9991-7036-3102-3584

**RE: Compliance Evaluation Inspection Report
 City of Crossville Small Municipal Separate Storm Sewer System (MS4)
 NPDES Permit Tracking Number TNS079987, Cumberland County**

Dear Mayor Mayberry:

On December 21, 2016, personnel from the Tennessee Department of Environment and Conservation, Division of Water Resources (division) visited the City of Crossville (City) municipal stormwater program staff to perform a routine Compliance Evaluation Inspection. The inspection consisted of a records review of the Construction Site Stormwater Runoff Control, which is a minimum control measure #4 under the *NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4)*. We would like to thank Mr. Tim Begley, Mr. Heath Blaylock, and Mr. Zack Goss, for their courtesy and cooperation during the inspection.

Permit Review

The City's stormwater program operates under NPDES Permit Tracking number TNS079987. Permit coverage authorizing the City's MS4 stormwater discharges became effective on March 3, 2011, and has been administratively extended beyond the expiration date of September 1, 2015, until a new Notice of Coverage is granted. Under this coverage, the City of Crossville proposed the following management practices for construction stormwater runoff control:

- Annual evaluation of ordinances
- Documentation and evaluation of procedures for reviewing land disturbance permit
- Provide Tennessee Erosion and Sediment Control (EPSC) Handbook for public usage as standards for erosion prevention and sediment control measures
- Review of effectiveness of inspection protocols and enforcement procedures

Records Review

The division reviewed Crossville's most recent annual report, stormwater management program/plan (SWMP), adopted stormwater ordinance (April 24, 2008), enforcement response plan (ERP), inventory and tracking systems, plans review and approval procedures, inspection procedures, and staff certifications.

The City's 2008 ordinance for construction site stormwater runoff references the *Tennessee Erosion and Sediment Control Handbook* and the stormwater pollution prevention plan (SWPPP). These are components of the *Tennessee General NPDES Permit for Discharges of Stormwater Associated with Construction Activities commonly referred to as a Construction General Permit (CGP)*. However, the city did not adopt an ordinance that is consistent with the CGP. The City's ordinance must be consistent with the design storm and special conditions requirements. Additionally, the ordinance does not provide for control of wastes associated with construction activity as specified in the CGP sections 3.5.3.1.f., 4.1.5. and 4.1.6.

The City's ordinance is implemented through plans review/approval, site inspections and enforcement sanctions. The enforcement sanctions include: written notice, consent order, show cause hearing, compliance order, and a cease and desist order. Although the City issued numerous notices of violations, site non-compliance persists. The City does have an effective enforcement escalation where sanctions can be used to resolve violations in a timely manner (e.g. the use of stop work orders). The enforcement response plan describes when each sanction is used to address the nature and severity of the violations.

Plans review is conducted by the stormwater coordinator who has a level 2 EPSC certification. The city has recently created a checklist to be used to review SWPPPs to assure consistency with requirements of the CGP and effectiveness of the EPSCs. The city is implementing a more thorough checklist, and signoffs must be received from other City Departments prior to issuance of coverages. The EPSC plan review must include at a minimum the CGP's EPSC measures and sediment basin design criteria, and the establishment of buffer zones for streams, lakes and wetlands.

The construction site inspection program is comprised of active site inventory, twice weekly and after every rainfall event inspections of all sites. The inspector is a certified level 1 EPSC professional. Inspections are documented while on site utilizing a smartphone and are immediately directed to the stormwater coordinator and to a server. The majority of the sites are inspected prior to disturbance to confirm proper installation of EPSCs. Please note that all priority construction activity sites must have a pre-construction meeting.

Construction Site Visit

During our compliance evaluation inspection, the division observed a site inspection of two active construction sites TNR171889–Aviagen Inc. and TNR 171784 - The Gardens. The City inspector correctly identified failures on the site and requested appropriate corrective actions. A Notice of Violation was issued on December 28, 2016 to address the problems found.

Required Actions

- 1. Update your ordinance to be consistent with the current *Tennessee General NPDES Permit for Discharges of Stormwater Associated with Construction Activities (CGP)*. The two deficient areas were the language that dealt with buffer zone requirements and a lack of ordinance concerning waste material on construction sites. Please submit a draft of the updated ordinance to the division.**

2. **Develop a more thorough plans review procedure to assure consistency with requirements of the CGP and effectiveness of the erosion prevention and sediment control measures (EPSCs). Please submit a copy of the review procedure and supporting documents to the division.**
3. **By February 10, 2017, please provide a written response with a timeline for completing the required actions.**

Again, I would like to thank Mr. Tim Begley and his staff for the assistance and courtesy extended during our inspection. If you have any questions or need additional information, please contact me by email at johnny.k.walker@tn.gov or by telephone at 931-520-6672 or you may contact Jeff Patton at the Cookeville Environmental Field Office by email at jeff.patton@tn.gov or by telephone at 931-520-6684.

Sincerely,



Johnny K. Walker
Environmental Program Manager
Division of Water Resources

eCC: Mr. Tim Begley, Crossville City Engineer – Tim.begley@Crossvilletn.gov
Mr. Heath Blaylock City of Crossville Stormwater Coordinator –
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Jessica Murphy, jessica.murphy@tn.gov – TDEC DWR Compliance and Enforcement